

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Twenty-First Judicial District Court, County of Ravalli

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-15-249
-vs-	)	
	)	DECISION
JESSE JORDAN YOUNG-ROBERTS,	)	
	)	
Defendant.	)	

On December 1, 2016, the District Court sentenced the Defendant as follows: Charge I: A commitment to the custody of the Department of Corrections for a period of five (5) years with no time suspended, for the offense of Criminal Possession of Dangerous Drugs, a felony, in violation of §45-9-102(6), MCA; Charge II: 180 days to the Ravalli County Detention Center, with all but 61 days suspended, to run consecutively with the sentence in Charge I, as well as consecutively with the sentence in Cause No. DC-16-056, for the offense of Criminal Possession of Drug Paraphernalia, a misdemeanor, in violation of §45-10-103, MCA; and Charge III: 180 days to the Ravalli County Detention Center, with all time suspended, to run concurrently with the sentence in Charge I, for the offense of Driving While Privilege to do so is Suspended or Revoked, a misdemeanor, in violation of §61-5-212(1), MCA. The Court directed that the Defendant be screened for placement in all appropriate programs. The Court granted credit in the amount of 89 days served in jail before sentence of which 61 days was credited against the sentence in Charge II of this Judgment. The remaining 28 days were applied against the 5 year sentence imposed in Cause No. DC-16-056.

On May 4, 2017, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division").

The Defendant appeared by Vision Net from NEXUS and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 4<sup>th</sup> day of May, 2017.

DATED this 31 day of May, 2017.

SENTENCE REVIEW DIVISION



Hon. Brad Newman, Chairperson




Hon. Kathy Seeley, Member



Hon. Brenda Gilbert, Member

Copies mailed this 2nd day  
of June, 2017, to:

Clerk of District Court (Original)  
Jesse Jordan Young-Roberts #3019752, Defendant (2)  
Hon. James A. Haynes  
Brent Getty, Defense Counsel  
Thorin Geist, Esq.  
Board of Pardons and Parole  
MSP - Records Dept.

  
Georgia Lovelady, Judicial Assistant  
Sentence Review Division